Filed 04/18/2008

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by law, except as provided by loc	the information contained herein nei cal rules of court. This form, approve pose of initiating the civil docket shee	ither replace	e nor supplement the filing a	ited States in September	r 1974, is required for the use
I. (a) PLAINTIFFS Robert C. Dedekam			DEFENDANTS Houston Funding II,	I td	
(b) County of Residence of First List (EXCEPT IN U. (c) Altorney's (Firm Name, Address Robert C. Dedekam - in 1824 Buhne Street Eureka, CA 95501 Tel: 707-443-4456	S. PLAINTIFF CASES)		NOTE: IN LAND CONDEMN, OF LAND INVOLVED Attorneys (If Known) June D. Coleman Ellis, Coleman, Poir 555 University Aven Sacramento, CA 958	PLAINTIFF CASES ON ATION CASES, USE THE LO.  ier, LaVoie & Stein Lue, Suite 200 East	ADR
II. BASIS OF JURISDICT  1 U.S. Government Plaintiff  2 U.S. Government Defendant	X 3 Federal Question (U.S. Government Not a Party)  4 Diversity (Indicate Citizenship of Parties in Item III)	(For Citizen of Till Citizen of A	nother State 2 :	·	State ipal Place 5 5 5
IV.NATURE OF SUIT (Pla	ace an "X" in One Box Only)	Foreign Co	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
110 Insurance 120 Marine 130 Miller Act 140 Negotiable Instrument 150 Recovery of Overpayment & Enforcement of Judgment 151 Medicare Act 152 Recovery of Defaulted Student Loans (Excl. Veterans) 163 Recovery of Overpayment of Veteran's Benefits 160 Stockholders' Suits 190 Other Contract 195 Contract Product Liability 196 Franchise  REAL PROPERTY  210 Land Condemnation 220 Foreclosure 230 Rent Leese & Ejectment 240 Torts to Land 245 Tort Product Liability 290 All Other Real Property	PERSONAL INJURY	rsonal Injury - id. Malpractice rsonal Injury - id.	510 Agriculture 620 Other Food & Drug 625 Drug Related Seizure of Properly 21 USC 881 by 630 Liquor Lews 640 R.R. & Truck 650 Airline Regs. 660 Occupational Safety/Health 690 Other LABOR 710 Fair Labor Standards Act 720 Labor/Mgmt. Relations 730 Labor/Mgmt. Reporting & Disclosure Act 740 Railway Labor Act 790 Other Labor Littgation 791 Empt. Ret. Inc. Security Act	422 Appeal 28 USC 158  423 Withdrawal 28 USC 157  PROPERTY RIGHTS  820 Copyrights  830 Patent  840 Trademark  SOCIAL SECURITY  861 HIA (1395ff)  862 Black Lung (928)  863 DIWC/DIWW (405(g))  864 SSID Title XVI  865 RSI (405(g))  FEDERAL TAX SUITS  870 Taxes (U S. Plaintiff or Defendant)  871 IRS - Third Party 26 USC 7609	400 State Reapportionment 410 Antitrust 430 Banks and Banking 450 Commerce 460 Deportation 470 Racketeer influenced and Corrupt Organizations 480 Consumer Credit 490 Cable/Sat TV 810 Selective Service 810 Selective Service 850 Securities/Commodities/ Exchange 12 USC 3410 890 Other Stailutory Actions 591 Agnoultural Acts 892 Economic Stabilization Act 893 Environmental Matters 894 Energy Allocation Act 895 Freedom of Information Act 900 Appeal of Fee Determination Under Equal Access to Justice 950 Constitutionality of State Statlutes
	Cite the U.S. Civil Statute under wi	Reo	nstated or 5 Transferred another distriction (specify)  filling (Do not cite jurisdiction)	rict Litigation	Judge from Magistrate Judgment
Brief description of cause:  VII. REQUESTED IN	CHECK IF THIS IS A CLASS ACT	TION DEA	AAND \$ \$5000+	X CHECK YES on	ly if demanded in complaint:

COMPLAINT: JURY DEMAND: X Yes No UNDER F.R.C.P. 23 VIII. RELATED CASE(S) IF ANY DOCKET NUMBER (See instructions); JUDGE DATE SIGNATURE OF ATTORNEY OF RECORD April 3, 2008
FOR OFFICE USE ONLY
RECEIPT# AMOUNT\_ \_APPLYING IFP JUDGE \_ MAG. JUDGE

NDC-JS44

### CERTIFICATE OF SERVICE

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I, Jennifer E. Mueller, declare:

I am a citizen of the United States, am over the age of eighteen years, and am not a party to or interested in the within entitled cause. My business address is 555 University Avenue, Suite 200 East, Sacramento, CA 95825.

On April 18, 2008, I served the following document(s) on the parties in the within action:

CIVIL COVER SHEET

VIA ELECTRONIC SERVICE: The above-described document(s) will be delivered electronically through the Court's ECF/PACER electronic filing system, as stipulated by all parties to constitute personal service, to the following: BY MAIL: I am familiar with the business practice for collection and processing of mail. The above-described document(s) will be enclosed in a sealed envelope, with first class

postage thereon fully prepaid, and deposited with the United States Postal Service at Sacramento, CA on this date, addressed as follows: BY HAND: The above-described document(s) will be placed in a sealed envelope which will be hand-delivered on this same date by , addressed as

VIA FACSIMILE: The above-described document(s) was transmitted via facsimile from the fax number shown on the attached facsimile report, at the time shown on the attached facsimile report, and the attached facsimile report reported no error in transmission and was properly issued from the transmitting facsimile machine, and a copy of same was mailed, on this same date to the following:

VIA OVERNIGHT SERVICE: The above-described document(s) will be delivered by overnight service, to the following:

In Pro Per Robert C. Dedekam 1824 Buhne Street Eureka, CA 95501 Defendant HSBC Bank Nevada, N.A.

P.O. Box 5244 Carol Stream, IL 60197

I declare under penalty of perjury under the laws of the State of California that the foregoing is a true and correct statement and that this Certificate was executed on April 18, 2008.

ennifer E. Mueller

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Mark E. Ellis - 127159 June D. Coleman - 191890 ELLIS, COLEMAN, POIRIER, LAVOIE, & STEINHEIMER LLP 555 University Avenue, Suite 200 East Sacramento, CA 95825 Tel: (916) 283-8820



Attorneys for Defendant HOUSTON FUNDING II, LTD., who has also been exconomically named HOUSTON FUNDING CORPORATION

## UNITED STATES DISTRICT COURT

## NORTHERN DISTRICT OF CALIFORNIA



ROBERT C. DEDEKAM,

Plaintiff,

HOUSTON FUNDING II, LTD., who has also been erroneously named HOUSTON FUNDING CORPORATION, SAKS FIFTH AVENUE, AND HSBC BANK NEVADA, N.A.,

Defendants.

Case No.:

Humbolt County Case No.: SC080180

NOTICE OF REMOVAL OF ACTION UNDER 28 USC § 1441(b) (FEDERAL QUESTION)

#### TO THE CLERK OF THE ABOVE-ENTITLED COURT:

PLEASE TAKE NOTICE that defendant HOUSTON FUNDING II, LTD., who has also been erroneously named HOUSTON FUNDING CORPORATION, hereby removes to this Court the state court small claims action described below:

- On March 20, 2008, an action was commenced in Small Claims Court, State of California, County of Humbolt, entitled ROBERT C. DEDEKAM, Plaintiff, v. SAKS FIFTH AVENUE, et al., as case number SC080180.
- 2. On March 20, 2008, HOUSTON FUNDING II, LTD., who has also been erroneously named HOUSTON FUNDING CORPORATION, received the Summons and Complaint, attached

hereto as Exhibit A.

3. This Court has jurisdiction to hear this case because this action is a civil action of which this Court has original jurisdiction under 28 U.S.C. § 1331, and is one which may be removed to this Court by defendant pursuant to the provisions of 28 U.S.C. § 1441(b) in that it arises under the federal Fair Debt Collection Practices Act (15 U.S.C. § 1692, et seq.).

4. HOUSTON FUNDING II, LTD., who has also been erroneously named HOUSTON FUNDING CORPORATION cannot determine whether any other defendant has been served with the complaint and summons. HOUSTON FUNDING II, LTD., who has also been erroneously named HOUSTON FUNDING CORPORATION, is in the process of confirming that any other defendant consents to the removal of this action.

Dated: April 3, 2008

ELLIS, COLEMAN, POIRIER, LAVOIE, & STEINHEIMER LLP

June D. Coleman

By

Attorney for Defendant

HOUSTON FUNDING II, LTD.

SC-100

# Plaintiff's Claim and ORDER to Go to Small Claims Court

## Notice to the person being sued:

- You are the Defendant if your name is listed in ② on page 2 of this form. The person suing you is the Plaintiff, listed in ① on page 2.
- You and the Plaintiff must go to court on the trial date listed below. If you
  do not go to court, you may lose the case.
- If you lose, the court can order that your wages, money, or property be taken to pay this claim.
- · Bring witnesses, receipts, and any evidence you need to prove your case.
- Read this form and all pages attached to understand the claim against you and to protect your rights.

#### Aviso al Demandado:

- Usted es el Demandado si su nombre figura en 2 de la página 2 de este formulario. La persona que lo demanda es el Demandante, la que figura en 1 de la página 2.
- Usted y el Demandante tienen que presentarse en la corte en la fecha del juicio indicada a continuación. Si no se presenta, puede perder el caso.
- Si pierde el caso la corte podría ordenar que le quiten de su sueldo, dinero u otros bienes para pagar este reclamo.
- · Lleve testigos, recibos y cualquier otra prueba que necesite para probar su caso
- Lea este formulario y todas las páginas adjuntas para entender la demanda en su contra y para proteger sus detechos.

## Order to Go to Court

The people in 1 and 2 must go to court: (Clerk fills out section below)

Trial Date Date	ime Department	Name and address of cour	f if different from above
2		#9 See directory of	
3 Date: <u>MAR 2.0 2008</u>	KERRI L. KEENAN Clerk, by	of the Courtho	

### Instructions for the person suing:

- You are the Plaintiff. The person you are suing is the Defendant.
- Before you fill out this form, read Form SC-150, Information for the Plaintiff (Small Claims), to know your rights.
   Get SC-150 at any courthouse or county law library, or go to: www.courtinfo.ca.gov/forms
- Fill out pages 2 and 3 of this form. Then make copies of all pages of this form. (Make 1 copy for each party named in this case and an extra copy for yourself.) Take or mail the original and these copies to the court clerk's office and pay the filing fee. The clerk will write the date of your trial in the box above.
- You must have someone at least 18—not you or anyone else listed in this case—give each Defendant a court-stamped copy of all 5 pages of this form and any pages this form tells you to attach. There are special rules for "serving," or delivering, this form to public entities, associations, and some businesses. See Forms SC-104, SC-104B, and SC-104C.
- · Go to court on your trial date listed above. Bring witnesses, receipts, and any evidence you need to prove your case.

Clerk stamps date here when form is filled.

MAR 2 0 2008

SUPERIOR COURT OF CALIFORNIA COUNTY OF HUMBOLDT

Fill in court name and street address:

Superior Court of California, County of SUPERIOR COURT OF CLUE ORINIA COUNTY OF HUMBOUNT 825 FIETH 31: LET EUREKA, CALIFORNIA 95501

Clerk fills in case number and case name:

Case Number:

SC08018U

Cidical Counce of Cultonia, www.couninfo.ca.gov Romsod January 1, 2008, Mandatory Form Code of Civil Procedure, 5§ 116 110 et seq. 116 220(c), 118 140(g) Plaintiff's Claim and ORDER to Go to Small Claims Court (Small Claims)



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Plaintiff (list names): ROSEZT (DE DERAN)	Case Number:
Plaintiff (list names): 1005 E21 C. DEDERAM	
4 You must ask the Defendant (in person, in writing, or b	y phone) to pay you before you
sue. Have you done this?	
If no. explain why not: SES ATTACHMENT	
5) Why are you filing your claim at this courthouse?  This courthouse covers the area (check the one that applies):	
(2) Where the Plaintiff's property was damaged. signed, (3) Where the Plaintiff was injured. where the	a contract (written or spoken) was made, performed, or broken by the Defendant or he Defendant lived or did business when endant made the contract.
b. Where the buyer or lessee signed the contract, lives now, or liv is about an offer or contract for personal, family, or household <i>Proc.</i> , § 395(b).	ed when the contract was made, if this claim goods, services, or loans. (Code Civ.
c. Where the buyer signed the contract, lives now, or lived when a retail installment contract (like a credit card). (Civil Code, § 1)	the contract was made, if this claim is about (812,10.)
d. Where the buyer signed the contract, lives now, or lived when the is permanently garaged, if this claim is about a vehicle finance.	the contract was made, or where the vehicle sale. (Civil Code, § 2984.4.)
C. F) Other (specify): DEPENDANTS ACTS WERE DONE	IN THIS COUNTY
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6) List the zip code of the place checked in ⑤ above (if yo	ou knowless
	ou know): \qquad \qqqqqqqqqqqqqqqqqqqqqqqqqqqqqqqqqqqq
🕖 Is your claim about an attorney-client fee dispute? 🔲	Yes 🔟 No
If yes, and if you have had arbitration, fill out Form SC-101, attach it i	o this form, and check here: 🗌 👢
Are you suing a public entity? 🗆 Yes 🔼 No	
If yes, you must file a written claim with the entity first. A claim we	as filed on (date)
If the public entity denies your claim or does not answer within the time	allowed by how you can file this form
) Have you filed more than 12 other small claims within the	ne last 12 months in California?
Yes No If yes, the filing fee for this case will be higher.	is tast 12 months in California?
0 I understand that by filing a claim in small claims court, I hav	e no right to appeal this claim.
1) I have not filed, and understand that I cannot file, more than two small c California during this calendar year.	
Indeclare, under penalty of perjury under California State law, that the in this form is true and correct.	formation above and on any attachments to
Date 3/19/08 ROBERT C. DEDEKAM	CLILAD !
	intiff signs here
Second Plaintiff types or prints name here Second	ond Plaintiff signs here
Requests for Accommodations	
Assistive listening systems, computer-assisted, real-time car	otioning or sign language interpretar
services are available if you ask at least 5 days before the iri	al. Contact the clerk's office for Form
MC-410, Request for Accommodations by Persons With Dis	abilities and Response. (Civil Code, § 54.8.)

	SC-100A Other Plaintiffs	or Defendant	ts :	Case Number:
	This form is attached to Form SC-100, it	em 1 or 2.		
)	If more than 2 plaintiffs (person, busi	ness, or entity su	ing), list	their information below:
	Other plaintiff's name:			
	Street address:			Phone: ()
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	Mailing address (if different):	•		
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	Is this plaintiff doing business under a fictit	ious name?  Yes	□ No If	yes, attach Form SC-103.
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i e	Is this plaintiff doing business under a fictit		•	2.1
: .	Check here if more than 4 plaintiffs and			1.7 Mar 75 Mar 181
$\left( \cdot \right)$	If more than 2 defendants (person, b	·		[1] [1] [4] [4] [4] [4] [4] [4] [4] [4] [4] [4
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The second of th	City: Houston, TV  Mailing address (if different):  City:  Other defendant's name: HSBC BANK  Street address: ORKNOWN	State: State: NEUROA, NA	Zip: 7	Phone: ( 182 ) 0 848
The state of the s	City: HOUSTON, TV  Mailing address (if different):  City:  Other defendant's name: HSEC RANK	State: NEUROA, NA	Zip: 7	Phone: ( 182 ) 0 848

I understand that by filing a claim in small claims court, I have no right to appeal this claim.

☐ Check here if more than 4 defendants and fill out and attach another Form SC-100A

I have not filed, and understand that I cannot file, more than two small claims cases for more than \$2,500 in California during this calendar year.

I declare under penalty of perjury under California state law that the information above and on any attachments to this form is true and correct.

Date:	ROBERT C. DEDEKRY	1 1 4	Fix a Dic
Date:	Type or print your name		Sign your name
14,	Type or print your name	9	Sign your name

below:

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ATTACHED DECLARATION